

## Office of the State Public Defender Administrative Policies

Subject: <b>Management Caseload Limitations</b>	Policy No.: <b>114</b>
Title: <b>47</b>	Pages: <b>2</b>
Section: <b>1-215(2)(h) and 1-202</b>	Last Review Date: <b>4/23/13</b>
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### 1.0 POLICY

Pursuant to Sections 47-1-215(2)(h) and 47-1-202, MCA, the following policy sets maximum caseloads for the Regional Deputy Public Defenders and Managing Attorneys, and prohibits caseloads for the Chief Public Defender and the Contract Manager. The policy is intended to serve the requirements of managers to maintain a caseload alongside the attorneys they supervise, while also providing effective management.

The Public Defender Commission's 2012 *Response to the 2009 AU Study and the 2011 ACLU Evaluation of the Statewide Public Defender System* is the basis for the following caseload limits. The report recommends limiting caseloads for managers to a quarter, third or half of their productive hours depending on the size of the operation managed. It assumes a maximum availability of 1500 productive hours annually, taking into consideration vacation and sick leave, paid holidays, mandatory training requirements, office meetings, etc.

### 2.0 PROCEDURE

- 2.1 Maximum caseloads as are defined herein are intended to be strongly recommended while understanding that unusual circumstance in any office may make them unrealistic.
- 2.2 Maximum caseload limits are expressed in terms of hours per calendar year.
- 2.3 The Chief Public Defender and the Contract Manager shall not maintain caseloads.
- 2.4 The maximum caseload limits for each Regional Deputy Public Defender are as follows:
  - 2.4.1 Region 1 375 hours
  - 2.4.2 Region 2 375 hours
  - 2.4.3 Region 3 500 hours
  - 2.4.4 Region 4 500 hours
  - 2.4.5 Region 5 500 hours
  - 2.4.6 Region 6 750 hours
  - 2.4.7 Region 7 750 hours
  - 2.4.8 Region 8 750 hours
  - 2.4.9 Region 9 375 hours

- 2.4.10** Region 10     750 hours
- 2.4.11** Region 11     750 hours

**2.5**     The maximum caseload limit for any Managing Attorney is 750 hours.

**2.6**     Supervisors will monitor caseloads on a quarterly basis, taking into consideration the following variables and any others relevant at the time:

- 2.6.1**   Capabilities of the individual
- 2.6.2**   Number of personnel supervised
- 2.6.3**   Attorney vacancies
- 2.6.4**   Management structure
- 2.6.5**   Nature and status of cases being handled
- 2.6.6**   Travel requirements
- 2.6.7**   Extraordinary, temporary circumstances

### **3.0     CLOSING**

Questions about this policy should be directed to:

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